

**REMARKS**

Claims 1-27 are currently pending in the application. By this amendment, claims 25-27 are added for the Examiner's consideration. Claims 1, 16 and 23 are amended. Claim 23 is amended to correct a grammatical error. Support for the amendment and the added claims are found in at least Figure 1 and Figures 8a-8c, for example. No new matter is added. Reconsideration of the rejected claims in view of the above amendments and the following remarks is respectfully requested.

***Interview Summary***

Applicant appreciates the courtesies extended to Applicant and Applicant's representative by Examiner Gonzalez during the personal interview conducted on February 2, 2005. In view of the interview, Applicant has amended claim 1 in order to further define the claimed invention. In accordance with such interview, claim 1 now recites a single plate and at least one projection spaced away from the sidewall of the recessed portion. Claim 1 should now be in condition for allowance. Applicant further appreciates the indication by Examiner Gonzalez that claim 22 is also allowable. No reference in combination or alone teaches, for example, determining allowable thickness variations.

***Allowable Subject Matter***

Applicant appreciates the indication that claims 23 and 24 are allowed. Applicant further appreciates the indication that claims 16 and 17 contain allowable subject matter. Claim

16 is amended into independent format to include the features of base claim 1 and any intervening claims. Claim 16, and those claims dependent thereon, are now in immediate condition for allowance. Applicant also submits that the remaining claims are in condition for allowance for the reasons stated herein.

***35 U.S.C. §102 Rejection***

Claims 1-13 and 19-22 were rejected under 35 U.S.C. §102(b) for being anticipated by U.S. Patent No. 3,381,385 to Wilber. Claims 1, 14, 15 and 18 are rejected under 35 U.S.C. §102(b) for being anticipated by U.S. Patent No. 4,637,142 to Baker. These rejections are respectfully traversed.

In accordance with the interview conducted on February 2, 2005, Applicant submits that the Wilber reference only shows a stepped configuration in a recessed portion in order to measure a universal joint. None of the steps are positioned away from the sidewall of the recessed portion. Wilber also does not show determining allowable thickness variations recited in claim 22. In Wilber, the device only shows the measurement of the universal joint, without concern for allowable variations. In fact, this is not even considered by Wilber, as discussed during the interview.

Wilber also does not show many of the features of the dependent claims. For example, Wilber does not show, amongst other features: (i) a downslope device, (ii) at least one fixed variation measurement structure provided between a sidewall of the projection and an opposing sidewall formed from the recessed portion, or (iii) at least one projection which provides a

narrow recess closer to a bottom portion of the recessed portion with respect to a portion above the at least one projection within the recessed portion.

Baker shows a universal adjustable weld gauge. The weld gauge requires two adjustable plates in order to measure a weld. Plate 2 is a reference plate used in conjunction with moveable plate 3. The Baker device cannot work using only a single plate.

Applicant requests withdrawal of the rejections based on the above comments.

***Added Claims***

Claims 25-27 are added for the Examiner's consideration. As discussed during the interview, the added claims 25-27 are also allowable. For example, none of the references alone or in combination show a downslope measurement structure. Also, none of the references alone or in combination show at least one fixed measurement structure including a recessed portion having a single flat reference surface and a stepped portion at an opposing side of the single flat reference surface.

Serial No.: 10/656,163

--13--

### CONCLUSION

Applicant submits that all of the claims are patentably distinct from the prior art of record and are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue. The Examiner is invited to contact the undersigned at the telephone number listed below, if needed. Applicant hereby makes a written conditional petition for extension of time, if required. Please charge any deficiencies in fees and credit any overpayment of fees to Attorney's Deposit Account No. 23-1951.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Andrew M. Calderon', with a stylized flourish at the end.

Andrew M. Calderon  
Registration No. 38,093

McGuireWoods, LLP  
Suite 1800  
1750 Tysons Blvd.  
McLean, VA 22102  
(703) 712-5426

\\COM\453044.1